

I understand the FCC may be near to producing new regulations covering digital content and protection in digital television receivers. I appreciate this opportunity to comment on the proposal and to register my strong disapproval of the proposal. I believe that these proposed rules will interfere with my fair-rights to use and consume digital content in legal ways by eliminating the technical ability to exercise those fair-use rights. By way of summarization, I quote Mr. Declan McCullagh in CNET News.com who stated some of the problems succinctly:

"First, near-perfect copies of digital content are already available on CDs and DVDs. Second, anyone with a pirate receiver that ignores the broadcast flag can distribute the program freely: It only takes one person making a file available on [Kazaa or other file sharing mechanisms\ for the file to leak permanently.

Third, depending on how the regulation is written, it could limit the public's ability to use the broadcasts in legitimate, non-infringing ways. Fourth, as computers and TVs continue to converge, this approach will inevitably lead to greater regulations imposed on PC companies and perhaps even operating system makers.

It's true that Hollywood and the TV studios have legitimate concerns about piracy, and widespread copyright infringement via the Internet appears to be growing. But it's hardly clear whether this is the wisest approach. "

Thank you for your attention.

Sincerely,

Gary Goldberg  
President, Digital Marketing Inc.